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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re the Application of

Jose A. Salas, et al.

Serial No. 10/534,210

Filed: March 17, 2006

For: BORRELIDIN-PRODUCING
POLYKETIDE SYNTHASE AND
ITS USE

Examiner: Chin Min Kam

Group Art Unit: 1656

Docket No. 4408-P03626US00

OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTIFICATION OF LOSS OF ENTITLEMENT
TO SMALL ENTITY STATUS (37 C.F.R. §1.28)**

Dear Sir:

Applicants hereby notify the United States Patent and Trademark Office that they are not entitled to status as a small entity and that the claim for small entity status is hereby withdrawn. Applicants submit that small entity status was established in error and hereby comply with the requirements set forth in 37 C.F.R. §1.28(c)(1) and (c)(2). The payment of the deficiency owed as set forth in 37 C.F.R. §1.28(c)(2) is also submitted herewith. Provided below is a table listing the itemization of the deficiency payment as required by 37 C.F.R. §1.28(c)(2)(ii).

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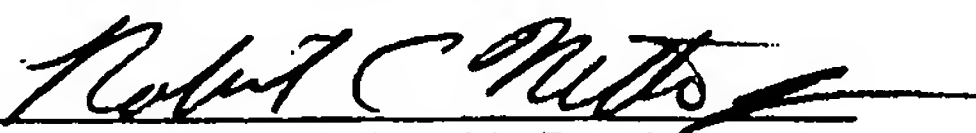
U.S. Patent Application No.
10/534,210

| Type of Fee | Small Entity Actually Paid | Current Fee Amount at Large Entity Rate | Deficiency Amount Owed |
|---|-------------------------------|--|---------------------------|
| Filing Fee | \$2,225.00 | \$4,702.00 (Filing, Search, Examination, Claims Fees) | \$2,477.00 |
| 2 nd Preliminary Amendment filed 10/22/2007 Claim Fee | \$510.00 | \$1,064.00 | \$554.00 |
| 3 rd Preliminary Amendment filed 12/14/07 Claim Fee | \$50.00 | \$104.00 | \$54.00 |
| | | | |
| Total Deficiency Amount Due | | | \$3,085.00 |

In light of the compliance with 37 C.F.R. §1.28, Applicants respectfully request the error with respect to the small entity status of the instant application be excused.

Please charge the deficiency fee to Undersigned's Deposit Account, Deposit Account No. **04-1406**. Authorization is also given to please credit any overpayment or charge any underpayment to Undersigned's Deposit Account, Deposit Account No. 04-1406.

Respectfully submitted,
DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By 
Robert C. Netter, Jr., Ph.D., J.D.
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